

In re:
THOMAS J HIGGINS

Bky. No. 0913885

Chapter 13
11/05/09
at 09:30 AM
COURTROOM #5
900 Market Street, 2nd Floor
Philadelphia, Pa. 19107

Debtor(s)

CHAPTER 13 STANDING TRUSTEE'S MOTION FOR DISMISSAL

AND NOW, comes William C. Miller, Esquire, Chapter 13 Standing Trustee, and requests that the above-captioned bankruptcy case be dismissed for the following reason(s):

There has been unreasonable delay by debtor(s) that is prejudicial to creditors pursuant to 11 U.S.C. Section 1307(c)(1) by failing to propose an adequately funded plan, in that the total filed proofs of claim which are to be paid through the plan exceed the value of the plan.

Debtor(s) has/have failed to commence or continue making timely payments to the trustee as required by 11 U.S.C. Section 1326.

The hearing scheduled by the filing of this motion may be adjourned from time to time without further notice to interested parties by announcement of such adjournment in court on the date scheduled for the hearing or continued hearing.

WHEREFORE, William C. Miller, Esquire, Chapter 13 Standing Trustee respectfully requests that the Court, after a hearing, enter an Order in the form annexed hereto, dismissing this bankruptcy case.

Respectfully submitted,

/S/ William C. Miller

William C. Miller, Esquire
Chapter 13 Standing Trustee